

BEST AVAILABLE COPY

04/02/2004 13:03 5404281721

KILYK BOWERSOX PLLC

PAGE 05

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on April 2, 2004.

Donald Prater

Name (Print)

Donald S. Prater
Signature

Expedited Procedure Requested
Under 37 C.F.R. §1.116

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

| | | |
|---------------------------------------|---|----------------------------|
| In re Application of: WATANABE et al. |) | Examiner: Peter D. MULCAHY |
| |) | |
| Application Number: 09/488,762 |) | Group Art Unit: 1713 |
| |) | |
| Filed: January 21, 2000 |) | Confirmation No.: 4870 |
| |) | |
| Docket No.: 3190-004 |) | Customer No.: 33432 |

APR 02 2004

For: MEDICAL ADHESIVE TAPE OR SHEET, AND FIRST-AID ADHESIVE TAPE

AMENDMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 2, 2004

Sir:

This Amendment is in response to the final Office Action dated December 2, 2003, for which the Examiner has set a three-month period for response. A Petition for a one-month extension of time and the requisite fee are submitted herewith, thus making the response due on or before April 2, 2004.

Please amend the above-identified application as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

RECEIVED
APR -5 2004
OIPE/JCWS

LAW OFFICES
KILYK & BOWERSOX, P.L.L.C.
Intellectual Property Law

RECEIVED
CENTRAL FAX CENTER
APR 02 2004

LUKE A. KILYK* (PA, DC)
LEONARD D. BOWERSOX
ARASH BEHRAVESH* (MA)
JASBIR SINGH
MATTHEW T. GILL

Of Counsel:
WILLIAM CHARLES JAMISON
SAMUEL P. BURKHOLDER* (PA, DC, NJ)

53 A East Lee Street
WARRENTON, VA 20186

TEL.: (540) 428-1701
FAC.: (540) 428-1720
(540) 428-1721

FAIRFAX OFFICE
3603-E Chain Bridge Road
Fairfax, Virginia 22030

Email: lkilyk@kbpatentlaw.com
Website: http://www.kbpatentlaw.com

OFFICIAL

*Admitted only in states indicated

PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: April 2, 2004

TO: Peter D. Mulcahy
Group Art Unit 1713
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 09/488,762
For: MEDICAL ADHESIVE TAPE OR SHEET, AND FIRST-AID ADHESIVE TAPE
Our Ref: 3190-004

FROM: Luke A. Kilyk, Esq. *LAK*

FAC. TEL. NO.: 1-703-872-9306

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 16

Items Attached: Amendment -- 12 pages
Petition for Extension of Time -- 1 page
Fee Transmittal -- 1 page
Credit Card Payment Form -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1- (703) 872-9306 on April 2, 2004.

Donald Prater
Name

Donald S. Prater
Signature

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**110.00**

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/488,762 |
| Filing Date | January 21, 2000 |
| First Named Inventor | Watanabe et al. |
| Examiner Name | Peter D. Mulcahy |
| Art Unit | 1713 |
| Attorney Docket No. | 3190-004 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit AccountDeposit Account Number
Deposit Account Name

50-0925

Kilyk & Bowersox, P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | 20** | X | |
| Multiple Dependent | 3** | X | |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description |
|-----------------------|-----------------------|-----------------------|-----------------------|---|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | **Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

| 3. ADDITIONAL FEES | | | | Fee Description | Fee Paid |
|-----------------------------------|-----------------------|-----------------------|-----------------------|--|--------------------|
| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1062 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | 110.00 |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.128(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | |
| SUBTOTAL (3) | | | | | (\$) 110.00 |

SUBMITTED BY

| | | | | | |
|-------------------|----------------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Luke A. Kilyk | Registration No. (Attorney/Agent) | 33,251 | Telephone | 1-540-428-1701 |
| Signature | <i>Luke A. Kilyk</i> | | | Date | April 2, 2004 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on April 2, 2004.

Donald Prater
Name (Print)

Signature